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TAGS: [MARR](#) [NATO](#) [PGOV](#) [PREL](#)  
SUBJECT: GERMANY LOOKING TO CONTRIBUTE TO NATO  
COUNTER-PIRACY MISSION, BUT NOT BEFORE DECEMBER 2009

REF: STATE 58992

Classified By: POLITICAL MINISTER COUNSELOR JEFF RATHKE. REASONS: 1.4 (B) AND (D).

¶1. (C) SUMMARY. Germany supports a long-term NATO counter-piracy mission, believing its main value-added is giving non-EU Allies who are not already in the EU Atalanta operation a way to contribute to the counter-piracy effort. Behind the scenes, German officials are already discussing the possibility of taking part in the NATO operation, but they claim that political realities make it "extremely unlikely" that the Bundestag will provide the necessary parliamentary mandate before federal elections in September. If the new government formed after the election decides, in fact, to seek a parliamentary mandate to participate in the NATO operation, it seems likely to wait to do so until December, when the mandate for EU Atalanta comes up for renewal. However, not everyone is convinced that it makes sense for the Bundeswehr to participate in a NATO mission, given that it is already doing counter-piracy in EU Atlanta. Some German officials -- especially in the MOD -- and parliamentarians are likely to question whether it is really makes sense for Germany to divide its counter-piracy assets between two different operations working in basically the same geographic area. END SUMMARY.

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¶2. (C) Post delivered reftel talking points on June 9 to MFA NATO Office Director Bernhard Schlagheck, MFA NATO Action Officer Lukas Wasielewski and MOD Political-Military Affairs Chief Colonel Bernd Schuett, emphasizing our hope that all Allies, even those like Germany who are already participating in the EU Atalanta mission, will contribute to NATO's long-term counter-piracy operations.

THREE PRECONDITIONS

¶3. (C) Wasielewski said that Germany had made clear in NATO committees from the very start that it would support and consider participating in a NATO counter-piracy operation so long as three conditions were fulfilled: 1) that the operation provides value-added and complements existing counter-piracy activities, 2) that the operation is closely coordinated with other missions already in the area and 3) that NATO has a uniform and legal framework for taking suspected pirates into custody and transferring them to third states.

¶4. (C) Wasielewski said the main value-added that Germany sees in a NATO mission is giving the U.S. and other non-EU Allies who are not participating in Atalanta a way to contribute to the common counter-piracy effort. He welcomed the U.S. planned contribution to the NATO operation and thought the larger the U.S. participation, the more other

NATO members would contribute. He emphasized that a larger U.S. contribution to the NATO mission would also make it politically easier for the German government to sell the idea of a Bundeswehr contribution to the Bundestag. Conversely, he noted, if the U.S. chooses to emphasize participation in CTF-151 over the NATO mission, German politicians would ask: "If the U.S. doesn't care about the NATO mission, why should we?"

¶5. (C) On the issue of coordination with other missions, Wasielewski said the challenge was addressing the concern about the proliferation of different actors in the counter-piracy effort. It was important to reassure German politicians that the NATO and EU operations would not compete with one another and would be well-coordinated. He thought that based on previous good experience with the coordination between SHAPE and U.S. Navy Forces Central Command (USNAVCENT), this pre-condition would be easily fulfilled.

¶6. (C) Regarding having a uniform and legal framework for detention and hand-over of pirate suspects, Wasielewski noted that the EU already has an agreement with Kenya and is negotiating others. He said that NATO having such a framework in place was of "great significance" for Germany, since Germany does not have the necessary national regulations to fall back on to cover such activities.

#### BUT REAL HURDLE IS SEPTEMBER ELECTION

¶7. (C) Wasielewski said that when all three conditions were fulfilled, Germany would be ready to seriously consider participating in the NATO operation. He said this issue had already been the subject of discussions between Chancellery

National Security Advisor Christoph Heusgen, MOD State Secretary Ruediger Wolf and MFA State Secretary Reinhard Silberberg. He readily acknowledged, however, that the real hurdle to German participation in Operation Ocean Shield in the short run was the upcoming Bundestag election in September. He said the political realities were such that it was "extremely unlikely" that the government would seek the necessary parliamentary mandate for a NATO counter-piracy mission before the election. Wasielewski, whose office is responsible for preparing mandate requests, thought the best (i.e., politically most palatable) time for the government to consider seeking a NATO mandate would be in December, at the same time the mandate for Atalanta comes up for renewal.

#### GETTING EVERYONE ON BOARD

¶8. (C) Wasielewski said that while the MFA, Chancellery and the MOD Political-Military Directorate were on board with Germany joining the NATO mission (assuming fulfillment of the three conditions), the operational side of MOD remained to be convinced. It continues to question whether it makes sense to divide German counter-piracy assets between two different operations operating in basically the same geographic area. Wasielewski acknowledged that this line of argumentation could find resonance within the Bundestag.

¶9. (C) With an eye on domestic politics, Wasielewski said MFA is already examining the possibility of combining the authorization for the NATO and EU missions into one single counter-piracy mandate. One advantage of a single mandate is that it would prevent the Bundestag from voting for participation in one operation, but opposing the other. Parliamentarians would have to vote the whole package up or down. Given the relative popularity of the counter-piracy mission, a rejection of such a joint mandate seems unlikely. A single, uniform counter-piracy mandate with identical rules of engagement and procedures would also make it easier for the German Navy to operate and would help address concerns about coordination and Bundeswehr assets being divided between two separate missions. Wasielewski said the only problem is that combining authorizations for two different operations in one mandate has not been done before, and some parliamentarians could object that doing so gives the government too much leeway and limits their oversight and

control. In the end, therefore, it may be necessary to do the NATO mandate separately, but in parallel, to the EU one -- like the way the OEF and ISAF mandates for Afghanistan are handled.

#### MOD POL-MIL CHIEF SHARES MFA'S ASSESSMENT

¶10. (C) Schuett of MOD agreed that a further parliamentary mandate to allow Germany to fight piracy under a NATO umbrella was not foreseen until "late autumn 2009." Like Wasielewski, he highlighted the importance of having a common legal framework to detain and transfer pirates and establishing good coordination mechanisms with Atalanta and other missions. He said fulfilling these requirements would be necessary to obtain the necessary political consensus in the Bundestag in favor of a NATO mandate.

#### MOD AGAINST DEPLOYING THE SNMG, SUGGESTS SHIFTING CTF-150

¶11. (C) Schuett noted that Germany opposes the long-term deployment of the Standing NATO Maritime Groups (SNMGs) to conduct counter-piracy operations, believing that it is a mis-use of these high-readiness forces. He thought it was much better to have a dedicated NATO force to do this mission. Schuett also wondered if it would not make sense for CTF-150 to be shifted temporarily from counterterrorism operations to counter-piracy, given that piracy is the main threat now.

Koenig